

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

RENE LOPEZ-GALVAN,

Defendant-Petitioner.

CASE NO. 1:99-CR-05338

ORDER SETTING BRIEFING SCHEDULE

(ECF No. 110)

On June 23, 2016, Petitioner Rene Lopez-Galvan, through the Federal Defender's Office, filed a motion to vacate, set aside, or correct his sentence pursuant 28 U.S.C. § 2255 (ECF No. 110), raising issues related to *Johnson v. United States*, 135 S. Ct. 2551 (2015), and *Welch v. United States*, 136 S. Ct. 1257 (2016). Petitioner simultaneously filed an application to the Ninth Circuit for leave to file a second or successive § 2255 motion. ECF No. 110. On March 13, 2017, the Ninth Circuit granted Petitioner's application to file a second or successive § 2255 motion. ECF No. 109. Accordingly,

**IT IS HEREBY ORDERED** that the Government shall file a response to Petitioner's § 2255 motion **on or before April 18, 2017**. From the date of the Government's filing, Petitioner shall have **30 days** to file a reply.

IT IS SO ORDERED.

Dated: March 15, 2017

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE